

# Empowering Columbus

## A Thought for Columbus



HUMAN RIGHTS COMMISSION  
Columbus, IN

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### Quote

**Important principles may, and must, be inflexible.**

**Abraham Lincoln**

### ***“Broaden your Horizons and BE the Difference”***

*By Frances Jordan*

On April 19<sup>th</sup>, the Human Rights Commission celebrated the 50<sup>th</sup> Anniversary of its existence, and what a celebration it was. Yet, the work must continue within the community. Many times when I am asked where I work, I reply, “The Human Rights Commission, we are a civil rights agency”. Occasionally I get the response, “well, what do you do”? My response is always “We file complaints based on race, sex, gender, religion, disability, natural origin/ethnicity, sexual orientation, and gender identity”.... that occur in the city limits in employment, education, housing, and sometimes public accommodation and credit. Now after I say that mouthful, more often than not, and to my dismay, they respond, “Well, we don’t have a lot of those issues these days”. This may be true, if we compare the way America was just 50 years ago. Today’s society has become more aware of diversity and inclusion, and removing the bigot that lives inside all of us, but there are many times those same acts of discrimination occur today and we **CANNOT** ignore them. I think we often look at the civil rights movement and see how bad it got for blacks and other minority groups that we trivialize the issues that occur today. Discrimination against sex, race, religion, disability, etc. still happens today and in a **REAL** way. We as a people have come so far and should not be so quick to dismiss instances of discrimination that still are occurring. We cannot turn a deaf ear because we as a people are better, but we are not perfect, and we will never obtain that unreachable goal of perfection, but we can try to reach as far as possible.

*“Never give up, for that is just the place and time that the tide will turn.”* - Harriet Beecher Stowe. There are new challenges and for different groups of people, such as the LGBT community, and persons with mental illnesses, to name just a few. We as a community continue to struggle with these issues, and sometimes our values or beliefs do conflict with these issues and tell us how to make choices and operate, and that’s okay. But discrimination is not a value or belief that anyone should hold dear - we can never give up on a spirit of equality for all - without that spirit we can never truly be a welcoming community. Each of us must continue to **Broaden our Horizons**....

One thing I have learned since working for the Human Rights Commission for almost a year is that. In addition to applying the law, broadening one’s horizons is important to creating understanding among other groups and eliminating discrimination. For example, I’m a black female. And religiously, I am Seventh - Day Adventist, therefore, I am a Christian. But my religious experience is very different than many other Christians. I have had my share of experiences or of discrimination and stereotypical thinking and behavior, but never was I aware of the needs of say, persons with disabilities until now. Most Americans are not unless they have a family member or friend who is disabled, or if they have aging parents whose needs have changed. Beyond never parking in a handicapped parking spot, I was not aware.

So in my new job, as we plan for events or activities, or just based on stories from clients, I became more familiar with concerning myself with the needs of persons in wheelchairs, persons who are blind, deaf, autistic, have cerebral palsy, struggle with mental illness, and the list could go on. What I find is that my world was opened to a new group of people, and I find myself more aware of their issues and I **EDUCATE** others whenever I get a chance. So what group are you overlooking? Or what **BUBBLE** are you staying in? You must broaden your horizons in order to make you and your community better - you cannot depend on others to be the difference.



**SPOTLIGHT on Welcoming Community**



# *2012 Human Rights Commission Dinner - Celebrating 50 years*





# Legal Update



## ***"Equal Employment Law Update" – Indiana Civil Rights Commission***

**Friday, May 18, 2012 9:00 am-12:15 pm (3.0 CLE Credits)**

Columbus Human Rights Commission  
123 Washington Street (Meeting Hall)  
Columbus, Indiana 47201

### **Seminar led by:**

Stephen E. Schrupf, Esq., Brown DePrez & Johnson  
James L. Whitlach, Esq., Bunger & Robertson  
Arlette Tinsley, Esq., Former Director, Columbus Human Rights Commission

**To register:** Call Brad Meadows at **(317) 232-2651** or e-mail your name, phone number, and attorney number to: [bmeadows@icrc.in.gov](mailto:bmeadows@icrc.in.gov)

There is no cost to attend the seminar, but space is limited. Pre-registration is required. Due to the high anticipated demand for these seminars, you are encouraged to register early. For more information about the **2012 Statewide Continuing Legal Education Program** visit <http://www.in.gov/icrc/2566.htm> or call **(317) 232-2651**.



## **WILL 'EMOTICON DEFENSE' DISPROVE CYBER BULLYING?**

**By CHARLES WILSON**

Even if three Indiana girls were just kidding around and used emoticons and LOLs when they discussed killing classmates on Facebook, their talk still could be considered cyber bullying if it inflicted emotional harm, experts say.

The American Civil Liberties Union of Indiana filed a federal lawsuit on behalf of the eighth-graders this week, claiming the Griffith Public Schools district in northern Indiana violated the girls' civil rights when it expelled them on the basis of a personal off-campus conversation that attorneys say shouldn't have been taken so seriously.

The lawsuit filed in U.S. District Court in Hammond says that any reasonable person would have realized the 14-year-olds' banter was in jest in part because of the use of emoticons such as smiley faces, humorous online shorthand such as LOL and ROFLMAO, and capital letters that represent sarcasm.

"The legal analysis asks whether a reasonable person viewing the conversation would conclude that the girls were about to inflict imminent harm. I think the use of emoticons and other forms of Internet-speak are simply one factor demonstrating that that was not the case," ACLU attorney Gavin Rose said in an email.

Regina Webb, the mother of one of the classmates who was the target of the girls' remarks, told The Associated Press on Friday she didn't see any humor in the Facebook thread, which she printed out and provided to the middle school principal. Webb said her 14-year-old daughter, who is Facebook friends with the girls, was afraid to go to school for two days after the thread appeared. She said other students were whispering about her daughter.

"When they're talking about putting someone in a bathtub of acid and lighting someone on fire...my daughter being the last person mentioned, I find nothing funny about that," Webb said, calling the thread "disturbing."

She noted the girls discussed whether it would be better to use a gun or a knife to kill someone, and how to cover up evidence. "I just think that goes a little beyond joking. To me, that is calculated, that has been thought about, that has been planned," Webb said.

"We still see examples of students using emoticons like that even in actual cyberbullying cases," said Justin Patchin, a criminal justice professor at the University of Wisconsin-Eau Claire and co-director of the Cyberbullying Research Center. "My position is it doesn't matter if they did use those emoticons...It doesn't matter if the intent was to joke around...If we look at the content, would we be threatened by it?"

Griffith school district attorney Rhett Tauber declined to comment.

"Cyberbullying is the emotional harm, not that they're going to kill you, but that they're talking about it even in a joking way," said Parry Aftab, an attorney and executive director of Wiresafety.org, a children's Internet safety group.

Patchin agreed. "It doesn't necessarily take an actual threat for the school to get involved in disciplining the students," he said. "If the target in this case didn't feel safe to be at school, then the school has the authority to take action," he added.

Neither Patchin nor Rose were aware of any previous cases where the use of emoticons was cited, though Aftab said she had encountered the strategy several times. Patchin did cite a 2000 Pennsylvania case in which the state Supreme Court upheld the expulsion of a student who created a website that featured a diagram depicting the decapitation of a teacher despite his insistence that the content was a joke.

Both Patchin and Aftab said another key issue was whether the school district overstepped its authority by penalizing students for off-campus, after-hours speech. The U.S. Supreme Court has yet to issue a clear ruling on the boundaries of schools' power to regulate students' online speech, they said.

**ARTICLE: CLICK**

<http://abcnews.go.com/US/wireStory/emoticon-defense-disprove-cyberbullying-16228796#.T57rgbNCuk4>

## **DISPUTE OVER IND. TEACHER'S FIRING SHOULD SET UP SHOWDOWN OVER RELIGIOUS, REPRODUCTIVE RIGHTS**

**By Associated Press**

**INDIANAPOLIS** — An Indiana teacher who says she was fired from a Roman Catholic school for using in vitro fertilization to try to get pregnant is suing in a case that could set up a legal showdown over reproductive and religious rights.

Emily Herx's lawsuit accuses the Diocese of Fort Wayne-South Bend and St. Vincent de Paul school in Fort Wayne of discrimination for her firing last June. Herx, 31, of Hoagland, Ind., says that the church pastor told her she was a "grave, immoral sinner" and that a scandal would erupt if anyone learned she had undergone in vitro fertilization, or IVF.

The Roman Catholic Church shuns IVF, which involves mixing egg and sperm in a laboratory dish and transferring a resulting embryo into the womb. Herx said she was fired despite exemplary performance reviews in her eight years as a language arts teacher.

Legal experts say Herx's case illustrates a murky area in the debate over separation of church and state that even the U.S. Supreme Court has failed to clearly address.

Diocese officials said in a statement issued to The Associated Press on Wednesday that the lawsuit challenges its rights as a religious institution "to make religious based decisions consistent with its religious standards on an impartial basis."

The U.S. Supreme Court ruled unanimously in January that religious workers can't sue their employers for job discrimination because anti-discrimination laws allow for a "ministerial exception." But the justices failed to define who was and who wasn't a religious employee.

"The Supreme Court didn't give us a kind of neat little on-off test as to who's a minister and who isn't," said Rick Garnett, associate dean and professor of law at Notre Dame Law School.

**DISPUTE CONT'D — NEXT PAGE**



In a similar case in Ohio, a federal judge last month gave the go-ahead for a trial in a lawsuit against the Archdiocese of Cincinnati by a parochial school teacher who was fired after she became pregnant through artificial insemination, which the church is also against. The archdiocese fired Christa Dias in 2010, saying the single woman violated church doctrine. U.S. District Judge Arthur Spiegel said in his March 29 ruling that the ministerial exception did not apply because Dias was a non-Catholic computer teacher with no role in ministering or teaching Catholic doctrine.

However, Garnett said he believed the ministerial exception cited by the Supreme Court could be applied to most parochial school teachers.

"A lot of Catholic schools, including my own kids', every teacher brings the kids to Mass, is involved in sacramental activities. ... It's not just one teacher who teaches religion, religion is pervasively involved," Garnett said. "The key question is whether it would interfere with the religious institution's religious mission, its religious message, for the government to interfere in the hiring decision."

Herx's attorney, Kathleen Delaney of Indianapolis, disagreed.

"She was not a religion teacher. She was not ordained. She was not required to and didn't have any religion teaching. She wasn't even instructed about the doctrine that she violated," said Delaney, noting the ultimate decision would be up to the courts.

The school found out that Herx was using IVF because she told them about it when she used sick days for the treatments, according to the lawsuit. School officials didn't indicate until later that there was a problem, the lawsuit says. Delaney would not say if Herx was able to get pregnant using IVF. The diocese said that teachers, even those such as Herx who aren't Catholic, are required by their contracts to abide by Catholic tenets and "serve as moral exemplars."

Pope Benedict XVI as recently as February urged infertile couples not to use in-vitro fertilization or other forms of artificial procreation, which the church views as an affront to human dignity and the dignity of marriage.

The church believes that procreation should be limited to marital sex, said Dr. John Haas, director of the National Catholic Bioethics Center in Philadelphia. Also, clinics routinely fertilize more eggs than are implanted, and extra embryos may be destroyed. The church believes those lives are sacred, Haas said.

"To have a child by in vitro almost invariably results in the death of a number of embryos as one works to bring one to term," Haas said Wednesday.

Herx's lawsuit, filed Friday in U.S. District Court in Fort Wayne, alleges the diocese violated the Civil Rights Act and the Americans with Disabilities Act by discriminating against Herx based on gender and on infertility, which is considered a disability. The Equal Employment Opportunity Commission upheld Herx's complaint in January.

Article: Click

[http://www.washingtonpost.com/national/health-science/dispute-over-ind-teachers-firing-should-set-up-showdown-over-religious-reproductive-rights/2012/04/25/gIQAAbHwJhT\\_story.html](http://www.washingtonpost.com/national/health-science/dispute-over-ind-teachers-firing-should-set-up-showdown-over-religious-reproductive-rights/2012/04/25/gIQAAbHwJhT_story.html)



**Artists:** Bert Monterona with

**Date:** December 11, 2009

**Where:** Vancouver

**Information:** This mural is one of 8 murals created by Bert Monterona as Port Coquitlam's contribution to the Necklace Project. Monterona established a comprehensive plan for community engagement, leading workshops with youth and community residents over four months. The workshops were multi-layered in their purpose, developing community pride, artistic skills and social awareness. The eight murals provoke thoughts on peace, environment, gender equality, diversity, active living and heroism.

# Do you KNOW your Stuff? – Native American

1. Today, the largest population of American Indians is in California. The second largest population of Indians in America is found in which state?

- a. North Carolina
- b. Nevada
- c. Oklahoma
- d. South Dakota

2. The Cherokee Indians were from what region?

- a. Eastern Woodland
- b. Great Basin
- c. Southeast
- d. Plains

3. When the Cherokee Indians were removed from their homes and forced to march a thousand miles to the land we know as Oklahoma, this became known as what journey?

- a. Train of tears
- b. Trail where they cried
- c. Trail of Death
- d. Trail of Broken Hearts

4. What is the largest tribe of Indians in Indiana?

- a. Aztec
- b. Miami
- c. Cherokee
- d. Hopi

5. Match the Native American Home with it's name

- A. Igloo
- B. Pueblo
- C. Longhouse
- D. Teepee
- E. Chickee
- F. Wickiup

1



2



3



4



5



6



## Tavis Smiley and Cornel West Preach a 'Poverty Manifesto'

Kori Tuitt

Tavis Smiley and Dr. Cornel West spoke about American poverty while promoting their book "The Rich and the Rest of Us: A Poverty Manifesto," on Thursday at Stony Brook University's Staller Center for the Arts.

Tavis Smiley, a talk show host on the Public Broadcasting Service with more than 20 years of experience in broadcast, and West, a professor of African American studies at Princeton University, co-authored this book to make Americans aware of this overlooked and misconstrued issue.

The Staller Center's main stage theatre was gorged with people, excitedly applauding as each speaker addressed them.

"Poverty is the moral and the spiritual issue of our time," said Smiley. "Poverty threatens the very existence of our democracy."

One out of two Americans are either in poverty or near poverty, meaning low income, and two thirds of Americans know someone who has been unemployed for at least six months, according to Smiley. The question of how this could happen to a nation that was once the richest and most powerful, was reiterated throughout the talk.

"We tend to think of poverty as something that is color-coded," Smiley said.

Smiley explained poverty is no longer "color-coded," but spans across a myriad of people. The former middle class is now, as he said, "the new poor." Poverty does not discriminate—anyone in America is susceptible to it.

About four years ago, during the last presidential campaign, the issue of poverty was not discussed once in those three presidential debates. Four years later, nearly

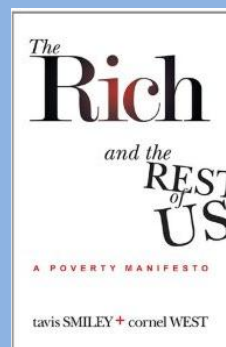
half of the American population is in poverty. Smiley explained that poverty is a touchy subject because people are embarrassed—but this is because of the stigma we have attached to it.

The animated West urged the audience not to become "well-adjusted to injustice." The nation has spent tons of money on drones, but cannot expense to address poverty. One of the first places to suffer from budget cuts are educational institutions, but presidential candidates spend thousands of dollars on campaigning.

Cornel West giving his speech about poverty in America "Twenty two percent of our children are living in poverty, the richest nation in the history of the world," West said. "That's a moral abomination."

Breaking the cycle of poverty requires youth to be able to access education, while not limiting themselves to the confines of the institution, according to West. He emphasized the need to focus on things "multi-textual" instead of "multi-cultural." Smiley added the creative and vigilant are the ones who can make it out of poverty.

Smiley encouraged the audience to "be the kind of person of character who understands that we have to care about the least among us." Full article: Click <http://www.sbindependent.org/tavis-smiley-and-cornel-west-preach-a-poverty-manifesto/>





## Mission

To lead Columbus in building and maintaining an inclusive community by:

1. Enforcing the Human Rights Ordinance
2. Educating the Public
3. Challenging attitudes and systems that create barriers to equality
4. Empowering community members to advance this mission

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## Upcoming Events

Heritage Fund Annual Meeting: May 17<sup>th</sup>, 4:30pm, YES Cinema

2012 Tour de Trails Bicycle Challenge: May 19<sup>th</sup>, 9:30am, Mill Race Park

2012 CAMEO Film Series Blazing Global Trails: "Boycott": May 21<sup>st</sup>, 6:45pm, YES Cinema

Salute! Concert: May 25<sup>th</sup>, 7:00 pm, Bartholomew County Courthouse Lawn

Pride Alliance Monthly Meeting: May 28th, 7:00pm, Xenia Miller Conference Room, Commons

Human Rights Commission Meeting: May 30th, 4:30pm, Council Chambers

Interfaith Forum Meeting: June 6th, 11:30am-1:30pm, Columbus Chamber of Commerce

Teen Pregnancy Workgroup: June 13<sup>th</sup>, Noon, BCSC Administration Building, Terrace Room

Answers: 1. C. 2. C. 3. A 4. B 5. A-1, B-5, C-4, D-3, E-6, F-2

